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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,363	01/18/2002	Dipankar Gupta	B-3592DIV 619037-4	4193

7590 05/21/2003

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EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/052,363	GUPTA, DIPANKAR
	Examiner Firmin Backer	Art Unit 3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 04 March 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 2-7,10-13,17 and 18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 2-7,10-13,17 and 18 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. .	6) <input type="checkbox"/> Other: _____

***Response to Request for Reconsideration***

This is in response to a request for reconsideration file March 4<sup>th</sup>, 2003. Claims 2-7, 10-13, 17 and 18 are being reconsidered in this action.

***Terminal Disclaimer***

1. The terminal disclaimer filed on March 4<sup>th</sup>, 2003 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent no. 6,446,051 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Response to Arguments***

2. Applicant's arguments with respect to claims 2-7, 10-13, 17 and 18 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 2-7, 10-13, 17 and 18 rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al (U.S. PG Pub 2003/0088784).

5. As per claims 2 and 18, Ginter et al teach a cryptographic method of enabling a consumer to obtain a document from an owner upon making a payment, the method comprising a step of using a protocol involving the consumer, the owner, a document source and a mediator, wherein the source requires knowledge of a key in which said document is encrypted in order to provide the said document, said key comprising a first portion, a second portion, a third portion, and a fourth portion, the protocol comprising the following sequential steps: the consumer requests a specified document; the owner provides the source with the first and third portions of the key and provides a mediator with the fourth portion of the key, which can combine with the third portion of the key to generate a complete key; the consumer provides the owner with the payment, and either, the owner provides the source with the second portion of the key and said first portion of the key is combined with said second portion of the key to generate a complete key; or the owner does not provide the source with the second key portion, and the third key portion is combined with the fourth key portion to generate a complete key (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*).

6. As per claim 3, Ginter et al teach a cryptographic method wherein first and third portion are different (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*).

7. As per claim 4, Ginter et al teach a cryptographic method arranged for enabling a said consumer to receive a plurality of such documents, wherein said first and second portions are different for each document (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

8. As per claim 5, Ginter et al teach a cryptographic method wherein the mediator is involved in the protocol only in the event of a dispute between the owner and the consumer (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

9. As per claim 6, Ginter et al teach a cryptographic method wherein the document source comprises a printer (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

10. As per claim 7, Ginter et al teach a printer for use in enabling a consumer to print a document from an owner upon making a payment, the printer including a memory for storing a first key portion and a third key portion, an element for receiving a second key portion or a fourth key portion; and an element for decrypting an encrypted document transmitted thereto in accordance with an encryption key defined by said first and said second key portions or said third and said fourth key portions (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

11. As per claim 10, Ginter et al teach a printer arranged to print a number of copies of a said document in each of a plurality of formats (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

12. As per claim 11, Ginter et al teach a printer arranged to print only one copy of a said document in a first format and an unlimited number of copies of said document in a second format (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

13. As per claim 12, Ginter et al teach a printer wherein said formats comprise different resolutions (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

14. As per claim 13, Ginter et al teach a printer wherein said formats comprise monochrome and color images (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*)..

15. As per claim 17, Ginter et al teach a printer wherein if the consumer provides the owner with the payment, but the owner does not provide the consumer with the second key portion, then the mediator provides the consumer with the fourth key portion (*see paragraph 0273, 0398 0644, 1507, 1529, 2148, 2338*).

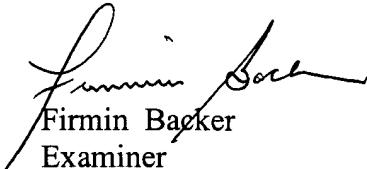
### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Firmin Baecker  
Examiner  
Art Unit 3621

May 18, 2003